



# CITY OF MEMPHIS

## COUNCIL AGENDA

February 21, 2017

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### CALL TO ORDER by the Sergeant-at-Arms

### INVOCATION

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (February 7, 2017)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Katie Smythe and the New Ballet Ensemble and School. This resolution is sponsored by Councilwoman Fullilove.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION approving an honorary street name change for David C. Sullivan on Central Avenue, between Deloach Street and Zach H. Curlin Street. This resolution is sponsored by Councilman Hedgepeth.

ACTION REQUESTED: Adopt the resolution

3. RESOLUTION approving an honorary street name change for Ben Cauley on College Street between East Trigg Avenue and S. Parkway East. This resolution is sponsored by Councilman Jones.

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARING**

4. RESOLUTION approving a special use permit located at 2729 Walnut Road, on the west side of Walnut Road; +/-160.80 feet north of James Road, containing 0.65 acre (28,315 sq. ft.), in the Residential Single Family (R-10) District. This resolution is sponsored by the Office of Planning & Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. SUP 16-31

Applicants: Maurice McLaurin/Buffalo Soldiers Motorcycle Club of Memphis  
Smith Building Design & Associates, Inc. – Representative

Request: Special permit to allow a motorcycle club, including indoor recreation

LUCB and OPD recommendation: Approval, with Conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**34 NOTICES WERE MAILED ON FEBRUARY 10, 2017**

**DIVISION OF PLANNING AND DEVELOPMENT**

5. RESOLUTION approving a special use permit located at 2166 Central Avenue, north side of Central Avenue; +/-135.50 feet east of S. Cooper Street, containing 0.57 acre (24,830 sq. ft.), in the Commercial Mixed Use (CMU-1) & Employment (EMP) Districts in the Midtown District (MD) Overlay. This resolution is sponsored by the Office of Planning & Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. SUP 16-34

Applicants: Daurie Schwartz, Trustee/2166 Central, LLC (d/b/a: Ice House)  
Solomito Land Planning – Representative

Request: Special permit to allow a restaurant/bar with indoor recreation, including live entertainment and ping pong, but excluding pinball machines and foosball tables

LUCB and OPD recommendation: Approval with Conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE-THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES - FIRST READING

6. **ORDINANCE** to amend Chapter 28, Article VI, of the Code of Ordinances of the City of Memphis, to establish regulations for False Alarms, up for F I R S T reading. Ordinance No. 5638 is sponsored by Councilman Spinosa.

Morgan  
Chairman,  
Public Safety &  
Homeland Security  
Committee

**ACTION REQUESTED:** Adopt the ordinance on First reading

7. **ORDINANCE** to amend Article VIII, § 2-370 of the Code of Ordinances, relative to Arbitration of Labor Disputes, Impasse Procedures and Preservation of Charter Powers of City Council, up for F I R S T reading. Ordinance No. 5639 is sponsored by Councilman Conrad.

Boyd  
Chairman,  
Executive  
Session

**ACTION REQUESTED:** Adopt the ordinance on First reading

### GENERAL ORDINANCE - SECOND READING (None)

### ZONING ORDINANCE - FIRST READING (None)

### ZONING ORDINANCE - SECOND READING (None)

### ENGINEERING (None)

### NOTATION FROM OPD (None)

**NOTATION** from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

**ACTION REQUESTED:** Set a date of public hearing

**SUGGESTED DATE:**



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## FISCAL CONSENT AGENDA

8. RESOLUTION seeking acceptance of a donation, in the amount of \$25,000.00, from Morgan Beale Street Merchants Association, as awarded to the City of Memphis Police Chairman, Department North Main Station, EDU Unit, to support operational activities. This Public Safety & resolution is sponsored by Police Services. Homeland Security Committee

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION amending the FY17 Capital Improvement Budget by transferring an Hedgepeth allocation and appropriating \$14,070.00 in G.O. Bonds – from the HSIP Cover Line, Chairman, Project Number EN01067, to Safety Improvements to the intersection of Raleigh Public Works, Millington at New Allen, Project Number PW01222, for additional local match Transportation requirements. This resolution is sponsored by Engineering Division. & General Services Committee

ACTION REQUESTED: Adopt the resolution



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## MLGW FISCAL CONSENT

10. RESOLUTION awarding a contract to Fullen Dock and Warehouse, Inc., for crushed limestone, in the estimated amount of \$63,550.00.
11. RESOLUTION awarding Contract No. 11908, Hickory Hill Service Center (HHSC) Rooftop Units Replacement, to Air Technical Services, Incorporated in the funded amount of \$137,500.00.
12. RESOLUTION awarding thirty-six month contracts to Lehman-Roberts Company in the amount of \$546,419.90, Standard Construction Company, Inc. in the amount of \$472,500.00 and APAC-Tennessee, Inc. in the amount of \$275,000.00, for the purchase of asphalt.
13. RESOLUTION approving Change No. 9 to Contract No. 11148, Professional Engineering Services, with SSR Ellers, Incorporated, to ratify the extension of the contract term in the funded amount of \$25,806.29. (This change is to ratify extension of the current contract through October 1, 2016. This extension was necessary to allow time for MLGW to finalize two projects performed under this contract.)
14. RESOLUTION awarding Contract No. 11902, Fire Proofing LNG Plant, to Fire StopTechnologies, Incorporated, in the funded amount of \$282,275.00.
15. RESOLUTION approving Change No. 2 to Contract No. 11715, In-Service Wood Pole Truss Restoration System, with Osmose Utilities Services, Incorporated, based on agreed upon rates, in the funded amount of \$209,193.13. (This change is to renew the current contract 6 the second of four annual renewal terms for the period covering March 8, 2017 through March 7, 2018.)
16. RESOLUTION approving Change No. 12 to Contract No. 10580, Service Agreement, with Motorola, Incorporated, in the funded amount of \$50,671.44. (This change is to renew the current contract for annual maintenance and support services for an additional one year term for the period covering March 1, 2017 through February 28, 2018. This renewal reflects a 3% increase from the previous year due to an adjustment in the company's pricing module for services. MLGW is requesting approval of continuous maintenance of the acquired system, which can only be performed by Motorola, Incorporated.)
17. RESOLUTION approving the payment of an invoice from the American Gas Association, for the 2017 annual membership dues, in the amount of \$59,600.00.

18. RESOLUTION awarding a twenty-four month contract to Mueller Company, LLC, for fire hydrants, in the amount of \$1,134,033.12.
19. RESOLUTION approving the selection of GPB Holdings II, LP, a Private Equity Manager to manage approximately \$10,000,000, for the benefit of the MLGW OPEB Trust Fund, as part of a reallocation.
20. RESOLUTION approving the selection of GPB Holdings II, LP, a Private Equity Manager, to manage approximately \$25,000,000, for the benefit of the MLGW Retirement and Pension Fund, as part of a reallocation.
21. RESOLUTION approving the selection of Vedanta Capital's McCoy Investments III, LP, a Private Equity Fund of Funds Manager, to manage approximately \$10,000,000, for the benefit of the MLGW OPEB Trust Fund, as part of a reallocation.
22. RESOLUTION approving Change No. 5 to Contract No. 11574, Commercial Auto Insurance for Out-Of-State Travel, with Pete Mitchell and Associates, Incorporated, in the funded amount of \$122,310.00. (This change is to renew the current contract for the fourth and final annual renewal term covering the period March 14, 2017 through March 13, 2018 in a funded amount of \$117,310.00. In addition, this renewal reflects the ratification of the addition of three vehicles which were acquired in November, 2016. This change also includes contingency funds to allow for adjustments to include coverage of purchased vehicles within the term as well as vehicles taken in and out of service in the amount of \$5,000.00 for a total funded amount of \$122,310.00.)



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## REGULAR AGENDA

23.

Spinosa

Chairman,

Personnel,

Intergovern-

mental

& Annexation

Committee

### APPOINTMENTS

#### ALCOHOL COMMISSION

##### Reappointment

Johnsie Wallace

#### BLIGHT AUTHORITY OF MEMPHIS

##### Reappointment

Roshun A. Austin

#### CIVIL SERVICE COMMISSION

##### Reappointments

Blake Bourland

Katherine Frazier

#### HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD

##### Appointment

Ashley Foxx

#### GENERAL ORDINANCE – THIRD AND FINAL READING (None)

#### ENGINEERING DIVISION (None)

#### EXECUTIVE DIVISION (None)

#### FINANCE & ADMINISTRATION (None)



**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

24. RESOLUTION appropriating the sum of \$543,766.24, chargeable to and amend the FY2017 Operating Budget by accepting and appropriating funds to HCD Low Income Housing Program account. This resolution is sponsored by Housing and Community Development Division.

Brown  
Chairman,  
Housing &  
Community  
Development

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION approving the City of Memphis Division of Housing and Community Development's leases and/or subleases of Memphis City property, that may be subject to City of Memphis Ordinance 2-291, relating to Real Property. This resolution is sponsored by Housing and Community Development Division.

Brown  
Chairman,  
Housing &  
Community  
Development

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

26. RESOLUTION accepting other local match funds from Memphis Bioworks Foundation, in the amount of \$562,000.00, to be applied to the Medical Center Streetscape project EN01026. This resolution is sponsored by Engineering Division.

Hedgepeth  
Chairman,  
Public Works,  
Transportation &  
General Services  
Committee

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEM** (None)

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**ADD-ONS**

27. RESOLUTION requesting the approval of a public auction held by the Memphis Police Department for the sale of five City owned Forfeiture properties acquired on November 5, 2014, July 15, 2015; and on September 21, 2016. The parcel addresses are: 3918 Raleigh Frayser Road, 1975 East McLemore, 2 East Dunbar, 4107 Royalcrest, and 1025-1029 Whitney Center. This resolution is sponsored by Police Services.

Morgan  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION to accept grant funds in the amount of One Hundred Thousand Dollars, (\$100,000.00) from Seedco to assist participants enrolled in the work release program for the U.S. Department of Labor Training to Work 3-Adult Re-entry Program. This resolution is sponsored by Workforce Investment Network.

Jones  
Chairman,  
Economic  
Development,  
Tourism &  
Technology  
Committee

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION authorizing the Administration to determine timing for the implementation of Ordinance 5631, the Short Term Rental Ordinance, up to 60 days after March 1, 2017. This resolution is sponsored by Councilman Ford.

Jones  
Chairman,  
Economic  
Development,  
Tourism &  
Technology  
Committee

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION amending the FY2017 operating budget by accepting, allocating, and appropriating \$8,850.00 in grant funds passed through the Library Division and Memphis Public Library and Information Center for technology equipment for the Tech Van. A matching grant is being provided by General Services CIP Project #GS0217E. This resolution is sponsored by Library Services.

Fullilove  
Chairman,  
Public Safety,  
Youth  
Initiatives,  
Libraries &  
Neighborhoods  
Committee

ACTION REQUESTED: Adopt the resolution

**Fiscal Consent**

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. Approved
2. Held until March 7, 2017
3. Approved
4. Failed
5. Approved, as amended

6. Through 7 – Approved
8. Sent Back to Committee & Held until March 7, 2017
9. Through 30 – Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF FEBRUARY 7, 2017 MEETING**

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEM #27, #28, #29 & #30 FROM TONIGHT'S MEETING**

Approved